

**Notice of Allowability**

Application No.

10/023,433

Examiner

Greta L. Robinson

Applicant(s)

BODE ET AL.

Art Unit

2168

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 05/22/2006.
2. ☒ The allowed claim(s) is/are 1-12, 14, 16-54, 57-72 and 75-90 (now renumbered as claims 1-84).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 05/22/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 22, 2006 has been entered.

2. Claims 13, 15, 55-56 and 73-74 have been cancelled. Claims 1, 27, 47, and 82 have been amended.

### ***Drawings***

3. The drawings were received on May 22, 2006. These drawings are acceptable.

### ***Allowable Subject Matter***

4. Claims 1-12, 14, 16-54, 57-72 and 75-90 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Applicants amendment overcomes the rejection cited under 35 USC 112 second paragraph. Regarding independent claim 1, the prior art of record fails to teach the following limitation: classifying the user query into a query class; selecting a search

strategy using the query class in which the user query is classified, the selecting the search strategy including obtaining a set of search criteria; performing a first search for documents relevant to the user query using at least one search criteria selected from the set of search criteria, the set of search criteria including at least two different search criteria defining different search specificities when using identical terms from the user query language; and evaluating a first search result returned by the first search to determine whether to perform a subsequent search using at least one different search criteria from the set of search criteria. Regarding independent claim 27, the following limitation is not disclosed as claimed: using an ordered list, S1, S2, ..., SN, of at least two searches, each search using at least one search criteria that is different from the other searches, the search criteria selected from a multidimensional set of automatically generated search criteria, the set of search criteria including at least two different dimensions representing different approaches of varying search specificity; and performing a search for documents relevant to the user query using one of the S1, S2, ..., SN searches, starting with the S1 search, evaluating search results corresponding to the search performed to determine whether to perform a subsequent search and, if the search results yielded an insufficient number of documents relevant to the user query, moving to and performing another search in the list. Regarding independent claim 47, the following limitation is not taught: using an ordered list, S1, S2, ..., SN, of at least two searches, each search using at least one search criteria that is different from the other searches, in which the list is ordered substantially according to specificity of the search criteria, in which S1 provides at least approximately more specific search criteria than

S2, ..., SN, and in which SN provides at least approximately more general search criteria than S1, S2, ..., S(N-1), and wherein the search criteria is selected from an automatically generated set of search criteria that includes at least two different search criteria that specify different regions of the document to be used in carrying out the search; performing a search for documents relevant to the user query using one of the S1, S2, ..., SN searches, starting with the S1 search, evaluating search results corresponding to the search performed to determine whether to perform a subsequent search. Regarding independent claims 54 and 63 the prior art of record fails to teach a search result evaluator as claimed. Regarding independent claim 82 the prior art of record does not disclose the following: using an automatically generated ordered list of S1, S2, ..., SN searches, the searches using search criteria taken from a plurality of dimensions, each dimension including a plurality of criteria ... and performing a search for the documents.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rubenczyk et al. US Patent Application Publication No. 2003/0217052 A1

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



GRETAL ROBINSON  
PRIMARY EXAMINER

Greta Robinson  
Primary Examiner  
May 22, 2006